

Constitutional Relations

Upon the answers to the questions under this head will depend the distribution of representative power in the General Government. It is therefore imperative that this part of the enumeration should be performed with absolute accuracy. Every male person born within the United States, who has attained the age of 21 years, is a citizen of the United States by force of the Fourteenth Amendment to the Constitution (act of February 10, 1855); also, all persons born out of the limits and jurisdiction of the United States, whose fathers at the time of their birth were citizens of the United States, who have been declared by judgment of court to have been duly naturalized having taken out both "papers."

The part of the enumerator's duty which relates to column 19 is therefore easy, but it is none the less of importance. It is a matter of more delicacy to obtain the information required by column 20. Many persons never try to vote, and therefore do not know whether their right to vote is or is not abridged, It is not only those whose votes have actually been challenged, and refused at the polls for some disability or want of qualification, who must be reported in this column; but all who come within the scope of any State law denying or abridging suffrage to any class or individual on any other ground than participation in rebellion, or legal conviction of crime. Assistant marshals, therefore, will be required carefully to study the laws of their own States in these respects, and to satisfy themselves in the case of each male citizen of the United States above the age of 21 years, whether he does or does not, come within one of these classes.

As the Fifteenth Amendment to the Constitution, prohibiting the exclusion from the suffrage of any person on account of race, color, or previous condition of servitude, has become the law of the land, all state laws working such exclusion have ceased to be of virtue, If any person is, in any State, still practically denied the right to vote by reason of any such State laws not repealed, that denial is merely an act of violence, of which the courts may have cognizance, but which does not come within the view of marshals and their assistants in respect to census.